

COMMITTEE AMENDMENT FORM

DATE: 01/31/07

COMMITTEE ZONING PAGE NUM. (S)

ORDINANCE I. D. #06-O-2258 SECTION (S)

RESOLUTION I. D. #07-R- PARA.

AMENDS THE LEGISLATION BY ADDING ELEVEN (11) CONDITIONS.

AMENDMENT DONE BY COUNCIL STAFF 01/31 /07

City Council
Atlanta, Georgia

06-O-2258

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-06-102
Date Filed: 8-30-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **23-41 Peachtree Avenue, N.E.** be changed from the RG-2 (Residential General-Sector 2) District to the RG-3-C (Residential General-Sector 3-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 100, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

LEGAL DESCRIPTION

TRACT II - No's 23, 25, 29, 31, 33, 37, 39, & 41 PEACHTREE AVENUE

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 100 OF THE 17th LAND DISTRICT, FULTON COUNTY, CITY OF ATLANTA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH 50 FOOT RIGHT OF WAY OF PEACHTREE AVENUE AND THE WEST 40 FOOT RIGHT OF WAY (AT THIS POINT) OF NORTH FULTON DRIVE; THENCE, FROM SAID INTERSECTION PROCEED WEST ALONG THE SOUTH RIGHT OF WAY OF PEACHTREE AVENUE NORTH 85 DEGREES 57 MINUTES 28 SECONDS, A DISTANCE OF 100.00 FEET, TO A $\frac{1}{4}$ " IRON PIN AND THE POINT OF BEGINNING;
THENCE, AWAY FROM SAID RIGHT OF WAY SOUTH 03 DEGREES 10 MINUTES 16 SECONDS WEST, A DISTANCE OF 267.84 FEET, TO A $\frac{1}{4}$ " IRON PIN;
THENCE, NORTH 88 DEGREES 00 MINUTES 42 SECONDS WEST, A DISTANCE OF 99.29 FEET, TO A 1" OPEN TOP PIPE;
THENCE, NORTH 88 DEGREES 02 MINUTES 30 SECONDS WEST, A DISTANCE OF 194.49 FEET, TO A $\frac{1}{4}$ " IRON PIN;
THENCE, NORTH 88 DEGREES 13 MINUTES 47 SECONDS WEST, A DISTANCE OF 240.36 FEET, TO A $\frac{1}{4}$ " IRON PIN;
THENCE, NORTH 03 DEGREES 28 MINUTES 19 SECONDS EAST, A DISTANCE OF 71.03 FEET, TO A $\frac{1}{4}$ " IRON PIN;
THENCE, NORTH 84 DEGREES 11 MINUTES 26 SECONDS WEST, A DISTANCE OF 73.33 FEET, TO A $\frac{1}{4}$ " IRON PIN;
THENCE, NORTH 02 DEGREES 54 MINUTES 40 SECONDS EAST, A DISTANCE OF 213.55 FEET, TO A $\frac{1}{4}$ " OPEN TOP PIPE, ON THE SOUTHERLY RIGHT OF WAY OF PEACHTREE AVENUE;
THENCE, PROCEED EAST ALONG SAID RIGHT OF WAY THE FOLLOWING CALCS;
SOUTH 86 DEGREES 10 MINUTES 49 SECONDS EAST, A DISTANCE OF 255.58 FEET TO A 1" IRON BAR;
SOUTH 86 DEGREES 21 MINUTES 34 SECONDS EAST, A DISTANCE OF 59.83 FEET, TO A $\frac{1}{4}$ " IRON PIN;
SOUTH 85 DEGREES 54 MINUTES 39 SECONDS EAST, A DISTANCE OF 292.50 FEET, TO A $\frac{1}{4}$ " IRON PIN AND THE POINT OF BEGINNING.

TRACT DESCRIBED HEREIN CONTAINING 3.76 ACRES OF LAND MORE OR LESS, AS SHOWN ON A SURVEY BY FRONTLINE SURVEYING AND MAPPING, INC., DATED 7/28/06.

Z-06-102

Z-06-102/U-06-23

International School of Atlanta, Inc. (the "School"), applicant in the above referenced zoning, variance and special exception applications (collectively, the "Applications"), concerning the Atlanta International School campus (the "Property"), requests that the following items be incorporated as conditions to the Application. To the extent that these conditions are more restrictive than or are not reflected in conditions applied to the Property by the Atlanta City Council, the conditions in this Agreement will control. The development of the Property shall be restricted as follows:

1. The development shall be substantially similar to the site plan by Collins Cooper Carusi Architects Inc., dated October 20, 2006 (the "Site Plan") although such development may be phased.
2. The elevation of the School parking garage facing Peachtree Avenue will be conceptually similar to the garage as shown on the sketch by Collins Cooper Carusi Architects Inc., dated October 20, 2006.
3. The School's enrollment shall not exceed 1,100 students.
4. The School shall not expand the School's campus onto properties located across North Fulton Drive to the east of the Property.
5. The Property shall not be used for interscholastic or league organized football games.
6. The temporary buildings permitted pursuant to the site plan applicable to the Property prior to approval of the Application and shown on the Site Plan shall be permitted on the Property only until such time as the Property is redeveloped in accordance with the Site Plan. The trailers will be removed as classroom space is built to accommodate additional students; the School will use its best effort to move students out of trailers by their first phase of construction. Any trailers will be used for classrooms only. No temporary buildings shall be allowed on the Property except as otherwise permitted by this condition 6 and except as may be required on a temporary basis due to casualty loss occurring in the permanent buildings. The Chair of the Zoning Committee of NPU-B shall be notified in writing prior to making any requests to the City of Atlanta for temporary buildings due to casualty loss. Evidence of this notification should be provided to the City of Atlanta at the time of such request, if made. Landscaping shall be installed around any temporary buildings located on the Property.
7. Between 7:30 a.m. and 8:30 a.m. and 2:30 pm and 3:30 pm each weekday, the School shall use the driveway to be located adjacent to and on the western side of the parking deck for egress only. The School will monitor this restriction by means of personnel or a device. Vehicular ingress to and egress from the Property shall otherwise be unrestricted.
8. Upon full redevelopment in accordance with the Site Plan, the School shall provide at least 286 striped parking spaces on the Property. Additional designated parking spaces shall be provided in a ratio pro rata to the construction of additional buildings. Portions of the school building shown on the Site Plan fronting on Peachtree Avenue will not be

converted into a surface parking lot; however, the vacant house at 37 Peachtree Avenue may be demolished and replaced with a temporary surface lot prior to the construction of the improvements shown on the Site Plan, subject to compliance with applicable zoning ordinances.

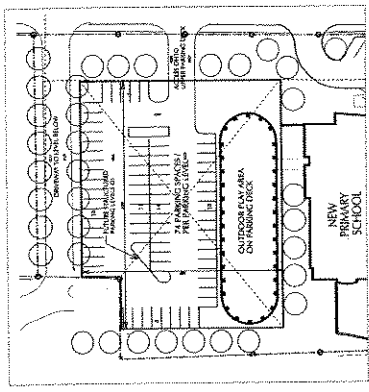
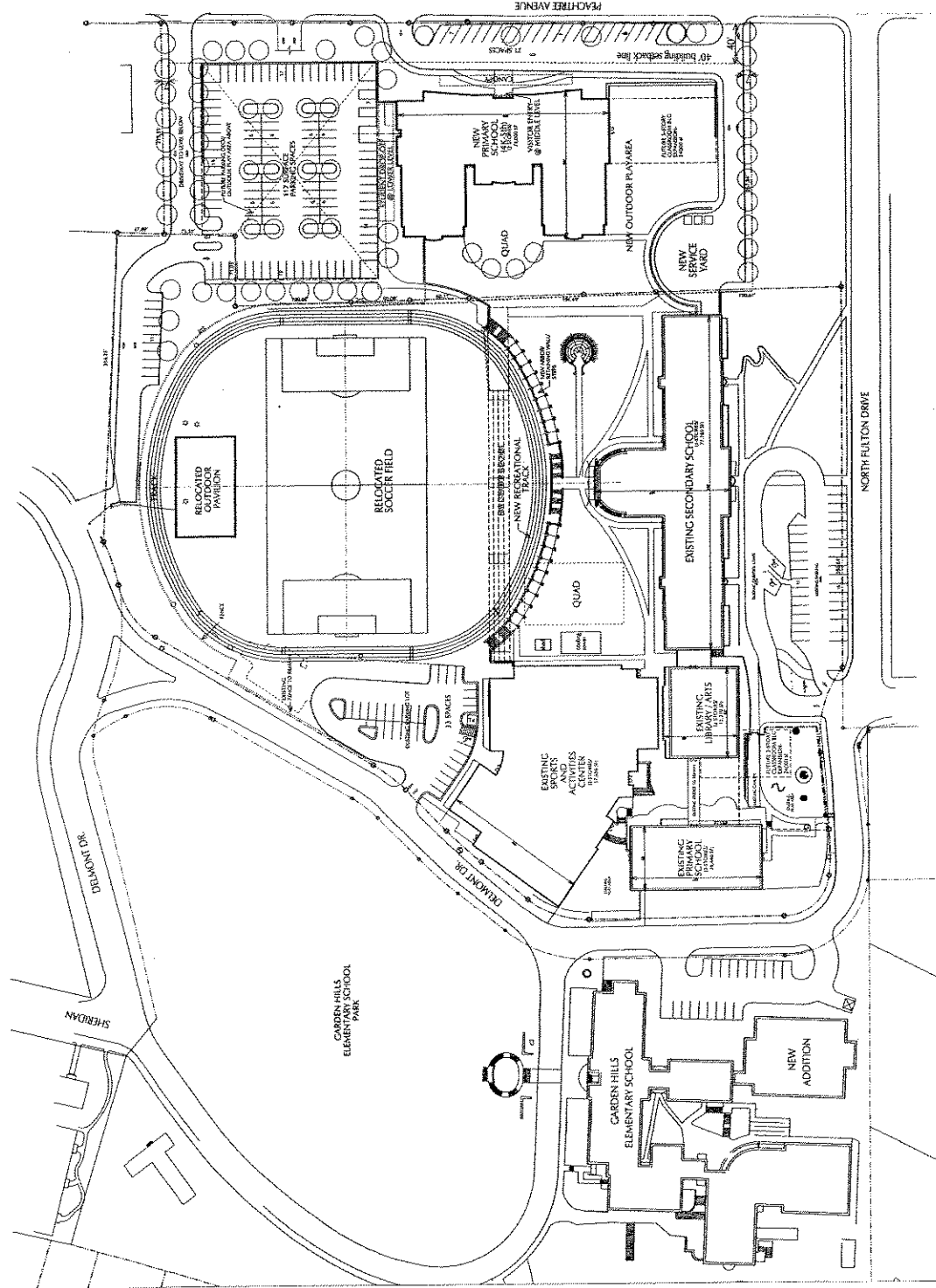
9. The following conditions shall apply to the construction phase of this project:

- (a) Construction traffic access. Construction traffic shall enter and exit via Peachtree Avenue by way of Peachtree Street and not otherwise through the Garden Hills neighborhood.
- (b) Construction work hours. Working hours on site shall be restricted to the following for the activities that generate noise as defined in The City of Atlanta Noise Control Code (Noise Ordinance), Section 74-137.4:

Weekdays	7:00 am – 7:00 pm
Saturdays	9:00 am – 7:00 pm
Sundays	12:00 noon – 6:00 pm

- 10. The School will not request any administrative site plan amendment which seeks to change any of the conditions contained herein without first giving thirty (30) days prior notice of such request to the Chair of the Zoning Committee of NPU-B. However, the School will have the right to request administrative changes in the site plan to the extent allowed by the Zoning Ordinance without such notification so long as such changes are required to comply with technical permitting requirements of the City of Atlanta or site conditions and do not: (a) increase the height in stories or square footage of any building or the number and/or location of parking spaces; (b) change any of the uses or location of said uses specified on the site plan; (c) decrease any exterior setback or the amount of landscaped area; (d) materially reduce public access or public spaces; or (e) otherwise materially alter these conditions.
- 11. All of these narrative conditions will be attached to the final site plan filed with the City of Atlanta.

2-06-107



UPPER LEVEL PARKING DECK

CAMPUS PARKING	# OF CLASSROOMS	PARKING SPACES REQUIRED	PARKING SPACES PROVIDED
NEW ELEMENTARY SCHOOL: KINDERGARTEN	10	12	12
NEW ELEMENTARY SCHOOL: (1st-5th grade)	25	50	50
NEW SECONDARY SCHOOL: VISITOR ENTRANCE	0	0	20
EXISTING MIDDLE, HIGH SCHOOL & ASSEMBLY SPACE CAMPUS PARKING (per Special Exception No. 4-03-1734)	232	232	232
TOTAL		314	314

NOTE:
THIS SITE PLAN IS BASED ON TOPOGRAPHICAL & BOUNDARY SURVEY PREPARED BY FRONTLINE SURVEYING INC. DATED 7/20/06. SHEET NO. 26-10-2

LAND LOT: 100
DISTRICT: 17
COUNTY: FULTON
ZONING: R-41 RC-2

RECEIVED
JUL 26 2006
FULTON COUNTY
PLANNING DEPARTMENT

I am familiar with the City of Atlanta Zoning Ordinance. I have reviewed the site plan and the zoning map and certify that the proposed development is in compliance with the zoning regulations of the zoning ordinance.

SEAL OF FULTON COUNTY, GEORGIA
PLANNING DEPARTMENT
JUL 26 2006



Collins Cooper Carusi Architects, Inc.

1 August 2006

